

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SPEEDFIT LLC and AUREL A. ASTILEAN,

Plaintiffs,

2013 Civ. 01276 (KAM) (AKT)

**NOTICE OF MOTION UNDER 35
USC § 256 TO CORRECT
INVENTORSHIP OF USPN
8,308,619 AND USPN 8,342,016**

WOODWAY USA, INC.

Defendant.

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PLEASE TAKE NOTICE that plaintiffs, Speedift, LLC and Aurel A. Astilean (“Plaintiffs”), will move the Court for an order directing the Director of the United States Patent and Trademark Office to issue a certificate to correct the inventorship of U.S. Patent No. (USPN) 8,308,619 and USPN 8,342,016, allegedly infringed by Defendant, on the ground that co-inventor, Dan Bostan, was inadvertently not identified as an inventor heretofore by common error and without deceptive intent, and that the Court, before which such matter is called into question, may order correction of the patents on notice and hearing of all parties concerned under 35 U.S.C. § 256, along with any such other and further relief the Court deems proper.

Plaintiffs submit the following in support of its motion herein: a declaration of John F. Vodopia in support of Plaintiffs’ Motion to Correct Inventorship, dated June 1, 2015; a declaration by newly identified co-inventor Dan Bostan, dated June 1, 2015 agreeing to the requested change in inventorship; an assignment, executed by Dan Bostan and Alex Astilean, which assigns their entire right, title and interest in the First Provisional Application, the Second

Provisional Application, the '619 patent and the '016 patent ("Assignment"); a declaration by co-inventor Aurel A. Astilean, dated June 1, 2015; Plaintiffs' Memorandum of Law in support dated June 1, 2015; as well as the pleadings and papers filed herein, and upon such other matters as may be presented to the Court.

Pursuant to Minute Entry of the Honorable Kiyo A. Matsumoto dated May 15, 2015, Defendant shall serve any opposition by June 9, 2015; Plaintiffs will serve their reply, and the parties will file the fully-briefed motion, on June 15, 2015.

Date: June 1, 2015
Huntington, New York

Yours etc.

/john f vodopia/

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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing PLAINTIFFS' NOTICE OF MOTION AND MOTION UNDER 35 U.S.C. § 256 TO CORRECT INVENTORSHIP OF USPN 8,308,619 AND USPN 8,342,016 to be served on counsel of record via electronic mail on June 1, 2015.

Dated: Huntington, New York
June 1, 2015

JOHN F. VODOPIA, P.C.

/john f vodopia/

John F. Vodopia